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Washington, Thursday, December 18, 1947

### TITLE 3—THE PRESIDENT

#### EXECUTIVE ORDER 9910

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE GEORGIA RAILROAD AND THE BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN

WHEREAS a dispute exists between the Georgia Railroad, a carrier, and certain of its employees represented by the Brotherhood of Locomotive Firemen and Enginemen, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the state of Georgia to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Georgia Railroad or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,  
December 16, 1947.

[F. R. Doc. 47-11175; Filed, Dec. 17, 1947;  
10:25 a. m.]

### TITLE 7—AGRICULTURE

#### Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

##### PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1947-48 FISCAL YEAR

On November 20, 1947, notice of proposed rule making was published in the FEDERAL REGISTER (12 F. R. 7847) regarding the budget of expenses and the fixing of the rate of assessment for the 1947-48 fiscal year under Marketing Agreement No. 94 and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or the State of Arizona. This regulatory program is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, which were submitted by the Lemon Administrative Committee (established pursuant to the marketing agreement and order), it is hereby found and determined that:

§ 953.202 *Budget of expenses and rate of assessment for the 1947-48 fiscal year.*  
(a) The expenses necessary to be incurred by the Lemon Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, for the maintenance and functioning, during the fiscal year beginning on November 1, 1947, and ending on October 31, 1948, both dates inclusive, of such committee will amount to \$98,437.50, and the rate of assessment to be paid, in accordance with the aforesaid marketing agreement and order, by each handler who first handles lemons shall be one and one-quarter cents (\$0.0125) per box of lemons, or an equivalent quantity of lemons, handled by him as the first han-

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# FEDERAL REGISTER

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dler thereof during said fiscal year; and such rate of assessment is hereby approved as each such handler's pro rata share of the aforesaid expenses.

(b) The provisions hereof shall become effective at 12:01 a. m. P. s. t., January 19, 1948.

(c) As used in this section, the terms "handler," "handles," "box," "handled," and "lemons" shall have the same meaning as is given to each such term in said marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp. 953.1 et seq.)

Done at Washington, D. C. this 12th day of December 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-11100; Filed, Dec. 17, 1947; 8:45 a. m.]

### PART 960—IRISH POTATOES GROWN IN MICHIGAN, WISCONSIN, MINNESOTA, AND NORTH DAKOTA

#### SUSPENSION OF GENERAL CULL REGULATION IN PORTION OF PRODUCTION AREA

§ 960.304 *Suspension of general cull regulation in a portion of the production area.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act", and Marketing Order No. 60, effective pursuant to the act, regulating the handling of Irish potatoes grown in the States of Michigan, Wisconsin, Minnesota, and North Dakota, it is hereby found and determined: (a) That the general cull regulation (12 F. R. 6256) effective for the period beginning September 22, 1947, no longer tends to effectuate the declared policy of the act, during the period of time hereinafter stated, with respect to shipments of Irish potatoes grown in the State of Wisconsin, and (b) that compliance with the notice and public rule making procedure requirements of the Administrative Procedure Act (60 Stat. 237) is impracticable, unnecessary and contrary to the public interest in that the time intervening between the date when the recommendation and information, upon which the proposed order hereinafter set forth is based, became available and the time when such suspension order must become effective is insufficient for such compliance, and because the procedure established in Order No. 60, for the formulation of the suspension recommendations of the North Central Potato Committee, assures, on a representative basis, consideration being given to the views of all handlers and producers affected by said order prior to the submission of such recommendation.

Now, therefore, *It is hereby ordered*, That the general cull regulation (12 F. R. 6256) be, and the same hereby is, suspended from 12:01 a. m. c. s. t., December 20, 1947 to 12:01 a. m., c. s. t., July 1, 1948, with respect to shipments of Irish potatoes grown in the State of Wisconsin, except that inspection and certification as provided in § 960.6, and assessments, as provided in § 960.12 of Order No. 60, shall not be suspended.



As used in this section the terms "shipment" and "regulation" shall have the same meaning as when used in Marketing Order No. 60. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 15th day of December 1947.

[SEAL] C. F. KUNKEL,  
Acting Director, Fruit and  
Vegetable Branch, Production  
and Marketing Administra-  
tion.

[F. R. Doc. 47-11119; Filed Dec. 17, 1947;  
8:52 a. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Natural- ization Service, Department of Justice

#### Subchapter B—Immigration Regulations

#### PART 110—PRIMARY INSPECTION AND DETENTION

#### DESIGNATION OF MORGAN CITY, LA., AS PORT OF ENTRY FOR SEAMEN

DECEMBER 5, 1947.

Section 110.1. *Designated ports of entry except by aircraft* (12 F. R. 5080), Chapter I, Title 8, Code of Federal Regulations is amended by adding "Morgan City, La." at the end of the list of Class C ports of entry in District No. 6.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., Sup., 1003) relative to notice of proposed rule making and delayed effective date is found contrary to the public interest because operators of United States vessels which touch at or come from Caribbean ports desire to commence landing perishable cargoes at Morgan City as soon as possible and have completed other arrangements for such landings.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458; 8 CFR 90.1, 12 F. R. 4781)

T. B. SHOEMAKER,  
Acting Commissioner of  
Immigration and Naturalization.

Approved: December 12, 1947.

TOM C. CLARK,  
Attorney General.

[F. R. Doc. 47-11103; Filed, Dec. 17, 1947;  
8:45 a. m.]

## TITLE 20—EMPLOYEES' BENEFITS

### Chapter II—Railroad Retirement Board

#### PART 335—SICKNESS BENEFITS AND MATERNITY BENEFITS

#### FILING STATEMENTS OF CLAIM

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1107; 45 U. S. C. 362 (1)), §§ 335.104 (a), 335.104 (b), 335.104 (d), 335.204 (a), 335.204 (b), 335.204 (c),

and 335.204 (e) of the regulations under such act (12 F. R. 4667; 12 F. R. 5610) are amended, effective July 1, 1947, to read as follows, the amendments to §§ 335.104 (a) and 335.204 (a) having been made by Board Order 47-430, dated November 20, 1947, and the amendments to the other sections having been made by Board Order 47-431, dated November 20, 1947:

§ 335.104 *Filing statement of sickness and claim for sickness benefits—(a) Time for filing statement of sickness.* No day shall be considered a day of sickness with respect to an employee unless a statement of sickness with respect to such day is filed in his behalf at an office of the Board within ten days. For example, if an employee wishes to claim November 1 as his first day of sickness, the statement of sickness must reach the Board not later than November 10. If the statement is received on November 11, the employee cannot be paid benefits for November 1.

(b) *Time for filing claim for sickness benefits.* No day shall be considered a day of sickness with respect to an employee unless a claim for sickness benefits with respect to a registration period including such day is filed by or in behalf of the employee at an office of the Board, together with any supplemental doctor's statement which may be required by the Board in connection therewith, within ten days after whichever is the later of (1) the last day of the registration period shown on the claim form or (2) the day such claim form was mailed to the employee.

(d) *When form considered filed.* A form shall be considered filed within the time prescribed with regard to it in paragraph (a) or (b) of this section if (1) the form was received at an office of the Board within the prescribed time; (2) the form was mailed to an office of the Board within the time specified in the instructions on the form, and was received there; (3) the employee made such effort to file the form within the prescribed time as a reasonable person could be expected to make in the same situation, but was prevented from doing so by circumstances beyond his control, and the form was received at an office of the Board within a reasonable time after the circumstances which had prevented the employee from filing the form were removed; (4) the employee registered for the day in question under § 325.12, but his claim for such day as a day of unemployment was denied on the ground that he was not able to work on such day, and the form was received at an office of the Board within a reasonable time; or (5) a female employee filed a statement of maternity sickness with a view to obtaining maternity benefits for the day in question, and the form was received at an office of the Board within a reasonable time.

§ 335.204 *Filing statement of maternity sickness and supplement and claim for maternity benefits—(a) Time for filing statement of maternity sickness.* No day shall be considered a day of sickness in a maternity period with respect to a female employee unless a statement of

maternity sickness is filed in her behalf at an office of the Board within ten days. For example, if a female employee wishes to claim November 1 as her first day of sickness in a maternity period, the statement of maternity sickness must reach the Board not later than November 10. If the statement is received on November 11, the employee cannot be paid benefits for November 1.

(b) *Additional requirement for days after birth of child.* No day after the birth of a female employee's child shall be considered a day of sickness in a maternity period with respect to such employee unless a statement of maternity sickness, which shall provide evidence of the actual date of birth of the child, or a supplement to a statement of maternity sickness providing such evidence, is filed in her behalf at an office of the Board within ten days after whichever is the later of (1) the last day of a registration period including such day, or (2) the day the proper form was mailed to the employee.

(c) *Time for filing claim for maternity benefits.* No day shall be considered a day of sickness in a maternity period with respect to a female employee unless a claim for maternity benefits with respect to a registration period including such day is filed by or in behalf of the employee at an office of the Board, within ten days after whichever is the later of (1) the last day of the registration period shown on the claim form or (2) the day such claim form was mailed to the employee.

(e) *When form considered filed.* A form shall be considered filed within the time prescribed with regard to it in paragraphs (a), (b), or (c) of this section if (1) the form was received at an office of the Board within the prescribed time; (2) the form was mailed to an office of the Board within the time specified in the instructions on the form, and was received there; (3) the employee made such effort to file the form within the prescribed time as a reasonable person could be expected to make in the same situation, but was prevented from doing so by circumstances beyond her control, and the form was received at an office of the Board within a reasonable time after the circumstances which had prevented the employee from filing the form were removed; (4) the employee registered for the day in question under § 325.12, but her claim for such day as a day of unemployment was denied on the ground that she was not available for work or was not able to work on such day, and the form was received at an office of the Board within a reasonable time; or (5) the employee claimed sickness benefits for the day in question under Subpart A of this part, and the form was received at an office of the Board within a reasonable time.

(Sec. 12, 52 Stat. 1107; 45 U. S. C. 362 (1))

Dated: December 10, 1947.

By authority of the Board.

MARY B. LINKINS,  
Secretary of the Board.

[F. R. Doc. 47-11090; Filed, Dec. 17, 1947;  
8:46 a. m.]



## TITLE 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[Docket No. 6787]

#### CONDITIONS FOR USE OF RECORDING DEVICES IN CONNECTION WITH TELEPHONE SERVICE

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 26th day of November 1947:

The Commission, having under consideration the record herein, including its report made and filed herein on March 24, 1947; and

It appearing, that in said report, it was concluded, among other things, that an engineering conference of representatives of the telephone companies, the recorder manufacturers, the state commissions, and this Commission, be held to consider the technical questions presented by the use of telephone recorders, and the installation and operation of proper automatic tone warning devices; that on the basis of such findings and recommendations as resulted from this conference, the Commission would give consideration to the adoption of engineering standards to govern the installation, use and operation of telephone recorders and automatic tone warning devices in connection with interstate and foreign message toll telephone service; and that the Commission would postpone the issuance of a final order herein until it had considered these engineering matters;

It further appearing, that a Public Engineering Conference was duly held on April 29, 1947, pursuant to the terms of the above report of the Commission, at which conference representatives of the telephone companies, the recorder manufacturers, the state commissions, and this Commission were present and participated; and that subsequent to said conference various engineering work and tests have been conducted pursuant to the conclusions formulated at said engineering conference;

It further appearing, that upon consideration of the recommendations formulated at the above engineering conference, the automatic tone warning devices contemplated by the Commission's report of March 24, 1947, should produce a signal having the following characteristics:

Number of tones: 1.  
Length of each tone:  $20/100$  of a second with a tolerance of plus or minus 20 percent.  
Pitch of tone: 1400 cycles per second with a tolerance of plus or minus 10 percent.  
Frequency of recurrence of each signal: not less than 12 seconds and not more than 15 seconds.  
Level of tone: equal to the average telephone talking signal strength.

It further appearing, that a tone warning signal having the above described characteristics will provide adequate notice to all parties to a recorded telephone

conversation that the conversation is being recorded; and that such signal will not unduly interrupt the telephone conversation or interfere with the recording thereof, having regard to the desirability of adequate notification of the use of a telephone recorder;

It further appearing, that in the Commission's above report of March 24, 1947, it was also concluded, among other things, that the telephone companies should undertake a publicity program designed to inform telephone users generally of the use of telephone recording devices and of the import of the warning signal; that any publicity program should provide for the insertion of full page statements in telephone directories informing the telephone using public of the nature and use of recording devices and describing in detail the operation and significance of the tone warning signal; and that, in addition, the telephone companies should make available a special telephone number which, when dialed or called, would reproduce the tone warning sound;

It further appearing, that objections have been filed by the American Telephone and Telegraph Company and the United States Independent Telephone Association with respect to the above conclusions insofar as they would require telephone companies to insert full page statements in telephone directories and to make available a special telephone number which would reproduce the tone warning sound, for the reasons that such measures would involve considerable expense and burdensome operating arrangements, particularly in the case of small telephone companies; and that therefore the kinds of publicity measures to be carried out by the telephone companies should not, at least at this time, be prescribed;

It further appearing, that on August 27, 1947, The Soundsciber Corporation, and on October 9, 1947, Thomas A. Edison, Incorporated, filed petitions with the Commission requesting the issuance of an order authorizing the use of recording devices in connection with telephone service, with or without tone warning devices, pending the issuance of a final order herein, and also pending the actual availability of the tone warning devices contemplated by said report of March 24, 1947; and that on September 29, 1947, Dictaphone Corporation filed a petition requesting reconsideration by the Commission of the requirement of a warning device, and, upon such reconsideration the elimination of this requirement;

It further appearing, that the American Telephone and Telegraph Company and the United States Independent Telephone Association have filed statements in opposition to the above petition of The Soundsciber Corporation;

It further appearing, that a grant of the above petitions of The Soundsciber Corporation, Thomas A. Edison, Incorporated, and Dictaphone Corporation would mean the authorization of the use of recording devices in connection with interstate and foreign message toll

telephone service without any form of notification to parties using such telephone service that telephone recording devices were being used, which would be contrary to the findings and conclusions of the Commission, as set forth in its report of March 24, 1947, herein, with respect to the need for such notification in connection with the use of telephone recording devices;

*It is ordered*, That the Commission's report of March 24, 1947, herein, as modified by this order, is made a part hereof by reference;

*It is further ordered*, That the use of recording devices in connection with interstate and foreign message toll telephone service is authorized, subject to the following conditions:

(1) That such use is accompanied by adequate notice to all parties to the telephone conversation that the conversation is being recorded;

(2) That such notice will be given by the use of an automatic tone warning device, which will automatically produce a distinct signal that is repeated at regular intervals during the course of the telephone conversation when the recording device is in use; such signal to have the characteristics specified above;

(3) That such automatic tone warning device may be furnished or maintained by anyone, whether or not a telephone company, subject to the requirement that such device have the characteristics specified above;

(4) That no recording device shall be used in connection with interstate or foreign message toll telephone service unless, at the will of the user, it can be physically connected to and disconnected from the telephone line or switched on and off;

(5) That in the case of a telephone recorder physically attached to the telephone line, the equipment necessary to make such physical connection, as distinguished from the automatic tone warning device, shall be provided, installed, and maintained by a company or other organization responsible for the furnishing of the telephone service;

*It is further ordered*, That respondent carriers shall rescind and cancel any tariff regulations which any of them now have on file with this Commission which have the effect of barring the use of recording devices in connection with interstate and foreign telephone service under the conditions of such use specified in this order;

*It is further ordered*, That telephone carriers subject to the Communications Act of 1934, as amended, shall, in accordance with the provisions of section 203 of the act, file tariff regulations with the Commission which provide for the use of recording devices in connection with interstate and foreign message toll telephone service under the conditions specified in this order; and which, in addition, provide for reasonable arrangements for sales demonstrations of telephone recorders by recorder organizations;

*It is further ordered*, That telephone carriers subject to the Communications



Act of 1934, as amended, shall undertake an appropriate publicity program designed to inform telephone users generally of the use of telephone recording devices and of the import of the warning signal;

*It is further ordered*, That the above petitions of The Soundscreeper Corporation, Thomas A. Edison, Incorporated, and Dictaphone Corporation, are denied;  
*It is further ordered*, That this order shall take effect on the 15th day of January 1948.

Released: November 28, 1947.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-11159; Filed, Dec. 17, 1947;  
12:19 p. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

#### 17 CFR, Part 7291

#### PEANUTS

#### NOTICE OF PROPOSED ACTION TERMINATING OR INCREASING NATIONAL MARKETING QUOTA ON 1948 CROP

The Secretary of Agriculture has under consideration, pursuant to the provisions of section 371 (b) of the Agricultural

Adjustment Act of 1938, as amended, (7 U. S. C. 1371 (b)), the matter of increasing or terminating the national marketing quota for peanuts determined July 17, 1947, and published in the FEDERAL REGISTER on July 23, 1947 (12 F. R. 4880). The Secretary is conducting an investigation, as required by said act, to determine what action, if any, should be taken.

All interested persons may submit their views in writing to the Director, Fats and Oils Branch, Production and Marketing

Administration, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than one week from the date this notice is published in the FEDERAL REGISTER.

Issued at Washington, D. C., this 12th day of December 1947.

[SEAL] F. R. BURKE,  
Acting Administrator.

[F. R. Doc. 47-11118; Filed, Dec. 17, 1947;  
8:52 a. m.]

## NOTICES

### FEDERAL POWER COMMISSION

[Docket No. E-6103]

#### GULF STATES UTILITIES CO.

#### NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

DECEMBER 15, 1947.

Notice is hereby given that, on December 12, 1947, the Federal Power Commission issued its order entered December 12, 1947, authorizing issuance of securities in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-11101; Filed, Dec. 17, 1947;  
8:49 a. m.]

#### WISCONSIN PUBLIC SERVICE CORP.

#### NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN COMMON UTILITY PLANT ACQUISITION ADJUSTMENTS

DECEMBER 15, 1947.

Notice is hereby given that, on December 11, 1947, the Federal Power Commission issued its order entered December 11, 1947, approving and directing disposition of amounts classified in Account 108, common utility plant acquisition adjustments in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-11102; Filed, Dec. 17, 1947;  
8:49 a. m.]

[Docket Nos. IT-6083, IT-5813]

#### COMISION FEDERAL DE ELECTRICIDAD ET AL.

#### NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO MEXICO, SUPERSEDING PREVIOUS AUTHORIZATION AND SUBSTITUTING HOLDER OF PRESIDENTIAL PERMIT

DECEMBER 12, 1947.

In the matters of Comision Federal de Electricidad and Central Power and Light Company, Docket No. IT-6083; and La Junta Federal de Mejoras Materiales and Central Power and Light Company, Docket No. IT-5813.

Notice is hereby given that, on December 12, 1947, the Federal Power Commission issued its order entered December 11, 1947, authorizing transmission of electric energy to Mexico, superseding previous authorization and substituting holder of presidential permit in the above entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-11087; Filed, Dec. 17, 1947;  
8:47 a. m.]

[Docket No. IT-6093]

#### HOMESTAKE MINING CO.

#### NOTICE OF DETERMINATION OF EMERGENCY AND GRANTING OF EXEMPTION FOR USE OF INTERCONNECTION

DECEMBER 12, 1947.

Notice is hereby given that, on December 12, 1947, the Federal Power Commission issued its order entered December 11, 1947, approving use and maintenance of emergency interconnections until

December 31, 1948, in the above entitled matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-11088; Filed, Dec. 17, 1947;  
8:47 a. m.]

[Projects Nos. 1950, 1978]

#### ELECTRIC POWER CO. OF NEW JERSEY, INC. NOTICE OF ORDER DISMISSING INCOMPLETE APPLICATIONS FOR LICENSE (MAJOR)

DECEMBER 12, 1947.

Notice is hereby given that, on December 12, 1947, the Federal Power Commission issued its order entered December 11, 1947, dismissing incomplete applications for license in the above-designated matters.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-11089; Filed, Dec. 17, 1947;  
8:47 a. m.]

### SECURITIES AND EXCHANGE COMMISSION

[File Nos. 31-58, 70-1605, 70-1663]

#### CENTRAL ILLINOIS PUBLIC SERVICE CO. ET AL. INTERIM ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 10th day of December A. D. 1947.

In the matter of Central Illinois Public Service Company, File No. 70-1663; The



Middle West Corporation, Central Illinois Public Service Company, Halsey, Stuart & Co., Inc., File No. 70-1605; Halsey, Stuart & Co., Inc., File No. 31-58.

The Middle West Corporation ("Middle West"), a registered holding company, Central Illinois Public Service Company ("Cips"), a public utility subsidiary of Middle West, and Halsey, Stuart & Co., Inc. ("Halsey"), an exempt holding company, having filed applications and declarations and amendments thereto, pursuant to section 6 (b), 9 and 10 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, relating to the issue and sale by Cips of 430,000 additional shares of common stock of the par value of \$10 per share for a cash consideration of \$4,300,000 and the acquisition thereof by Middle West and Halsey, the holders of all its common stock, pro rata, according to the number of shares held by each, and Halsey having requested, in addition to authority to acquire its pro rata share of the additional shares of common stock proposed to be issued by Cips, an extension of its exemption as a registered holding company until March 31, 1948, or the date on which Middle West disposes of its interest in Cips, whichever is earlier; and

The Commission having by order dated November 10, 1947, consolidated the said amended applications and declarations with an application filed by Cips relating to the issue and sale at competitive bidding, pursuant to the requirements of Rule U-50, of \$10,000,000 principal amount of its First Mortgage Bonds, Series B, --%, due September 1, 1977, and having reserved in said order the right, if at any time it may appear conducive to an orderly and economic disposition of said matters, to take action on any of the matters prior to the closing of the record on any other matter; and

Public hearings having been held after appropriate notice with respect to the consolidated proceedings and the record relating to the issuance and sale by Cips of an additional 430,000 shares of common stock of the par value of \$10 per share and the acquisition by Middle West and Halsey of their pro rata share of said common stock and with respect to the extension of the exemption by Halsey from the registration provisions of the act having been completed, and the Commission having been requested to enter its order with respect to the proposals relating to the issue and sale of the additional 430,000 shares of common stock by Cips and the acquisition by Middle West and Halsey of their pro rata share of said common stock; and

The Commission deeming its appropriate to grant such request and to enter its order with respect to the application for an extension of the exemption of Halsey from the registration provisions of the act pending the filing of its findings and opinion in the consolidated proceedings and the entry of an order with respect to the proposed issue and sale by Cips of \$10,000,000 principal amount of its First Mortgage Bonds, Series B, --%, due September 1, 1977:

It is ordered, That the amended applications and declaration with respect to

the issuance and sale by Central Illinois Public Service Company of 430,000 additional shares of common stock of the par value of \$10 per share for a cash consideration of \$4,300,000 and the acquisition thereof by the Middle West Corporation and Halsey, Stuart & Co., Inc., be, and hereby are, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the exemption of Halsey, Stuart & Co., Inc., pursuant to the provisions of section 3 (a) (4) of the act from those provisions of the act which would require its registration as a holding company because of its owning, controlling or holding with power to vote 10% or more of the outstanding voting securities of the Central Illinois Public Service Company be, and the same hereby is, continued to March 31, 1948, or the date on which The Middle West Corporation disposes of its interest in Central Illinois Public Service Company, which ever is earlier.

It is further ordered That jurisdiction be, and the same hereby is, reserved with respect to all other issues and questions raised in these consolidated proceedings.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-11093; Filed, Dec. 17, 1947;  
8:47 a. m.]

[File Nos. 54-19, 54-92, 59-14]

NEW ENGLAND POWER ASSN. ET AL.

#### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 12th day of December A. D. 1947.

In the matter of New England Power Association, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust, Massachusetts Utilities Associates, File No. 54-92, File No. 59-14, File No. 54-19.

The Commission having on March 14, 1946, approved an amended plan of simplification filed by New England Power Association (the name of which has now been changed to New England Electric System), a registered holding company, and by its then subsidiary subholding companies, Massachusetts Power and Light Associates, North Boston Lighting Properties, The Rhode Island Public Service Company, Massachusetts Utilities Associates Common Voting Trust and Massachusetts Utilities Associates, pursuant to the provisions of section 11 (e) of the Public Utility Holding Company Act of 1935, but having reserved jurisdiction to approve, disapprove, modify, allocate or award by further order or orders herein all fees or other compensation and all remuneration of expenses claimed or thereafter to be claimed by any persons in connection with the amended plan, the transactions incident thereto and the consummation thereof:

Notice is hereby given that certain persons have now filed applications for the approval of fees or other compensation and for reimbursement of expenditures to be paid by New England Electric System in connection with said plan, the transactions incident thereto and the consummation thereof.

All interested persons are referred to said applications, which are on file in the office of the Commission, for a full statement of the claims for fees or other compensation and for reimbursement of expenditures which may be summarized as follows:

New England Electric System has filed an application on behalf of various persons employed by it, as follows:

Ropes, Gray, Best, Coolidge & Rugg, its attorneys—\$170,000 for fees and \$1,674.37 for disbursements;

Ely, Bradford, Thompson & Brown, also of its attorneys—\$3,000 for fees;

Bingham, Dana & Gould, attorneys for certain lending banks in connection with loans to New England Electric System in an aggregate amount of \$10,000,000 represented by serial notes—\$5,000 for fees;

Merrill Lynch, Pierce Fenner & Beane, employed by New England Electric System as financial advisers in connection with the formulation of the plan—\$40,000 for compensation;

Old Colony Trust Company, exchange agent in connection with the consummation of the plan—\$55,998.75 as compensation and reimbursement;

Irving Trust Company, co-exchange agent—\$6,737.88 as compensation and reimbursement.

Other persons have filed applications as follows:

Winthrop, Stimson, Putnam & Roberts, attorneys for The Rhode Island Public Service Company Preferred Stockholders' Committee—\$25,000 for fees and \$1,919.50 for disbursements;

Hinckley, Allen, Tillinghast & Wheeler, attorneys for said Committee—\$22,500 for fees and \$2,465.50 for disbursements;

The Rhode Island Public Service Company Preferred Stockholders' Committee—\$3,996.47 for disbursements;

John Q. Tilson, attorney for certain preferred stockholders of Massachusetts Power and Light Associates—\$2,500 for fees;

Matthew Lahti, a holder of the preferred stock of Massachusetts Power and Light Associates—\$11,349.71 for disbursements, including the sum of \$10,000 heretofore paid by him to Nutter, McClennen & Fish, his attorneys;

Henry R. Guild, attorney for certain holders of 6% Preferred stock of New England Power Association—\$10,000 for fees and \$1,108.93 for disbursements;

Lyons & Black, attorneys for certain holders of the \$2 Preferred stock of Massachusetts Power and Light Associates—\$16,500 for fees and \$800.93 for disbursements;

Reis & Chandler, Inc., employed as financial advisers by The Rhode Island Public Service Company Preferred Stockholders Committee—\$36,000 for compensation and \$661.80 for disbursements.

The Commission deeming it appropriate in the public interest and in the interest of investors that a hearing be held in respect to said application:

It is ordered, Pursuant to sections 11 (e) and 18 of said act that the hearings herein be reconvened for the purpose of taking evidence on said applications, to commence on January 6, 1948 at 10 a. m. (e. s. t.) at the offices of the Securities and Exchange Commission, 18th and



Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At any time hereafter, upon appropriate notice to the participants in the proceedings, the hearing officer may direct that the hearing be transferred to the Commission's offices in Washington, D. C.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby empowered to exercise all such powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of said applications and that, upon the basis thereof, the following matters and questions are presented for consideration by the Commission, without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the services and disbursements for which remuneration is asked are compensable, and whether it is appropriate and lawful to grant any allowances for fees and expenses to the persons making such claims.

2. Whether the amounts, approval of which are requested, are fair and reasonable, and if not, what amount should be fixed by the Commission.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That any person (other than said applicants) desiring to be heard in connection with this proceeding, or proposing to intervene herein, shall file with the Secretary of the Commission on or before January 5, 1948 his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to the applicants herein, and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-11095; Filed, Dec. 17, 1947;  
8:48 a. m.]

[File No. 54-166]

COMMONWEALTH AND SOUTHERN CORP.  
(DEL.) ET AL.

#### ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 12th day of December 1947.

In the matter of The Commonwealth & Southern Corporation (Delaware), The Commonwealth & Southern Corporation

(New York), South Carolina Power Company, File No. 54-166.

The Commission having by order dated November 25, 1947 designated December 10, 1947 as the date for the commencement of the hearing with respect to the proposed sale by The Commonwealth & Southern Corporation (Delaware) of all of the outstanding common stock of one of its public utility subsidiaries, South Carolina Power Company, to the South Carolina Electric & Gas Company and with respect to certain related matters involving The Commonwealth & Southern Corporation (New York) and South Carolina Power Company; and

The Commission having by order dated December 5, 1947 postponed the date for the commencement of said hearing to December 16, 1947, at the same hour and place; and

The Commission deeming it appropriate for the convenience of all parties to further postpone said hearing:

It is hereby ordered, That the hearing in this matter scheduled for December 16, 1947 at 11:00 a. m., e. s. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be and hereby is, postponed to December 18, 1947, at the same hour and place.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-11097; Filed, Dec. 17, 1947;  
8:48 a. m.]

[File No. 70-1665]

#### CENTRAL POWER AND LIGHT CO.

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 8th day of December A. D. 1947.

Central Power and Light Company ("Central"), a subsidiary of Central and South West Corporation, a registered holding company, having filed a declaration and amendments thereto, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935, and the rules and regulations promulgated thereunder, regarding the issuance and sale of \$6,000,000 principal amount of First Mortgage Bonds, Series B, --%, due 1977, and 40,000 shares of \$100 par value --% Cumulative Preferred Stock, pursuant to the competitive bidding provisions of Rule U-50, and the application of the proceeds thereof to the retirement of \$1,200,000 principal amount bank loan notes and to finance necessary construction requirements; and

The company having requested that the ten-day period for the invitation of bids provided for by Rule U-50 be shortened to six days; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That the said declaration, as amended, be, and it hereby is,

permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the further condition that the proposed sale of bonds and preferred stock shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions, as may then be deemed appropriate, jurisdiction being reserved for such purpose.

It is further ordered, That the bidding period provided for by Rule U-50 be, and it hereby is, shortened to not less than six days.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-11094; Filed, Dec. 17, 1947;  
8:48 a. m.]

[File No. 70-1687]

#### TOLEDO EDISON CO.

#### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 11th day of December A. D. 1947.

Notice is hereby given that The Toledo Edison Company ("Toledo"), a subsidiary of Cities Service Company, a registered holding company, has filed an application and an amendment thereto with this Commission pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act").

All interested persons are referred to said application, as amended, which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized below:

Toledo proposes to enter into a credit agreement pursuant to which it proposes to borrow from the banks shown below, in the respective amounts indicated, a maximum of \$6,200,000 on or before December 31, 1948.

Name of bank	Commitment
The Chase National Bank of New York	\$5,350,000
The Toledo Trust Co.	300,000
The National City Bank of Cleveland	250,000
The Commerce National Bank of Toledo	200,000
The Ohio Citizens Trust Co.	100,000

Toledo proposes to borrow at least \$3,100,000 on or before July 1, 1948 and all further borrowings are to be made on or before December 31, 1948. The proposed loans are to be evidenced by promissory notes maturing December 31, 1950 and are to bear interest from their respective issue dates at the rate of the greater of 2% per annum or 1/2 of 1% above the discount rate of the New York Federal Reserve Bank concurrently in effect for commercial paper, but in no event is the rate to exceed 2 1/2% per annum. The agreement provides that Toledo may prepay the notes upon 30 days notice at principal amount, but if



prepayment is made from borrowings other than bonds or other securities sold to the public, Toledo is to pay a premium of  $\frac{1}{4}$  of 1% of the amount being prepaid for each year or portion thereof from the date of prepayment to the maturity of the notes. The agreement further provides that the company shall pay a commitment fee to each of the banks on March 31, 1948 and quarter-annually thereafter at the rate of  $\frac{1}{4}$  of 1% per annum on the average daily unused balance of the several commitments thereunder.

Under the credit agreement, Toledo has the right at the maturity of its notes then outstanding to renew the notes evidencing the loans for a period of one year, by giving in exchange therefor new notes which are to mature December 31, 1951 and which are to bear interest at the rate of the greater of  $2\frac{1}{2}$ % per annum or  $\frac{1}{2}$  of 1% per annum above the discount rate of the New York Federal Reserve Bank concurrently in effect for the discount of commercial paper, but in no event to be greater than 3% per annum.

The application states that the proceeds of the borrowings under the credit agreement are to be used toward construction expenditures, which the company estimates will amount to approximately \$32,000,000 for the period ending in the year 1950. It is stated that the purpose of the credit agreement is to make immediately available to the company the cash expected to be required for construction expenditures through the first seven months of 1948. It is stated that substantially all the balance of the construction requirements will be met through cash generated from operations and from the issuance and sale of approximately \$14,000,000 of bonds of the company, leaving approximately \$2,600,000 to be raised by means of other financing.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect of such matters and that said application, as amended, shall not be granted except pursuant to further order of the Commission:

*It is ordered*, That a hearing on such application, as amended, under the applicable provisions of the act and rules thereunder be held on December 22, 1947 at 2:00 p. m. e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318. At any time thereafter, upon appropriate notice to the participants in the proceedings, the hearing officer may direct that the hearing be transferred to the Commission's offices in Washington, D. C. All persons desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before December 19, 1947, a written request relevant thereto as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered*, That Allen MacCullen, or any other officer or officers of

this Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application, as amended, and that, on the basis thereof, the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the issuance and sale of the proposed notes are solely for the purpose of financing the business of the applicant and have been expressly authorized by the State Commission of the State in which the applicant is organized and doing business.

2. Whether the terms and conditions of the proposed issuance and sale of notes are detrimental to the public interest or the interest of investors or consumers.

3. Whether, in the light of the applicant's indicated construction requirements and the financing program by which it is proposed to satisfy such requirements, any terms and conditions should be imposed in connection with the proposed issuance of notes.

4. Whether the fees, commissions, or other remuneration to be paid in connection with the proposed transactions are reasonable and are for necessary services.

5. Whether the proposed transaction complies with all the requirements of the applicable provisions of the act and the rules thereunder, and whether any terms and conditions with respect to this transaction should be prescribed in the public interest or for the protection of investors or consumers.

*It is further ordered*, That at said hearing particular attention be directed to the foregoing matters.

*It is further ordered*, That the Secretary of the Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to Toledo and to the Public Utilities Commission of Ohio, and that notice to all other persons should be given by publication of this notice and order in the FEDERAL REGISTER and by general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-11092; Filed, Dec. 17, 1947;  
8:47 a. m.]

[File No. 70-1694]

OHIO PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 11th day of December A. D. 1947.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Ohio Public Service Company ("Ohio"), a subsidiary of Cities Service Company, a registered holding company. The applicant has designated section 6 (b) and Rules U-50 as applicable to the proposed transactions.

All interested persons are referred to said application, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which may be summarized as follows:

Applicant proposes to enter into a Loan Agreement pursuant to which it proposes to borrow \$3,000,000 from the banks shown below, in the respective amounts indicated.

The Chase National Bank of the City of New York.....	\$1,500,000
The National City Bank of Cleveland.....	750,000
The Cleveland Trust Company..	750,000

The proposed loans are to be evidenced by an Installment Promissory Note issued to each bank, payable in ten equal annual instalments commencing one year from date and annually thereafter until the entire principal sum has been paid. Said notes are to bear interest payable quarter-annually on unpaid instalments at rates which shall not be less than  $2\frac{1}{2}$ % per annum during the first five years, or less than  $2\frac{3}{4}$ % per annum during the last five years, nor more than  $3\frac{1}{4}$ % per annum at any time prior to the maturity of the last instalment. Under the Loan Agreement the notes may be prepaid, in whole or in part, in inverse order of maturity of the instalments thereof, at principal amount and interest accrued to date of prepayment and, if prepayment is made from proceeds of or in anticipation of other borrowings, Ohio is to pay a premium of  $\frac{1}{4}$  of 1% for each year or fraction thereof to maturity on the instalments so prepaid.

Applicant also proposes to issue and sell at competitive bidding, pursuant to Rule U-50, \$10,000,000 principal amount of First Mortgage Bonds, --% Series, due 1978, to be dated January 1, 1948, and to be issued under applicant's Indenture of Mortgage and Deed of Trust dated as of June 1, 1946, as supplemented by a First Supplemental Indenture dated as of January 1, 1948. Applicant states that the proceeds of the proposed bank loans are to be used to pay a nine months promissory note of the applicant dated June 12, 1947, in the principal amount of \$3,000,000, and that the proceeds from the issuance and sale of the said bonds will be used to finance in part the cost of carrying out a construction program estimated to require \$12,500,000 during 1948.

The application states that the issuance and sale of bonds and instalment notes are solely for the purpose of financing its business and are to be expressly authorized by the Public Utilities Commission of Ohio, the State Commission of the State in which it is organized and doing business, and has designated section 6 (b) of the act as applicable to the issuance of the notes and section 6 (b) and Rule U-50 as applicable to the issuance of the bonds.



It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the matter set forth in said application, and that said application should not be granted except pursuant to further order of this Commission:

*It is ordered*, That a hearing on said application pursuant to the applicable provisions of the act and the rules and regulations thereunder be held on December 22, 1947 at 10:00 a. m., e. s. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing shall be held. At any time thereafter, upon appropriate notice to the participants in the proceedings, the hearing officer may direct that the hearing be transferred to the Commission's offices in Washington, D. C. All persons desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before December 19, 1947, a written request relevant thereto as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered*, That Allen MacCullen or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application, and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the issuance and sale of the proposed Installment Notes and First Mortgage Bonds, --% Series, due 1978, are solely for the purpose of financing the business of the applicant and have been expressly authorized by the State Commission of the State in which the applicant is organized and doing business.

2. Whether the terms and conditions of the proposed issuance and sale of the Installment Notes and First Mortgage Bonds are detrimental to the public interest or the interest of investors or consumers.

3. Whether, in the light of the applicant's construction requirements and the financing program by which such requirements are to be satisfied, any conditions should be imposed in connection with the proposed issuance of Installment Notes and First Mortgage Bonds.

4. Whether the fees, commissions, or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

5. Whether the accounting entries to be made in connection with the proposed transactions are proper and are in accordance with sound accounting principles.

6. Whether the proposed transactions comply with all the requirements of the applicable provisions of the act and the rules promulgated thereunder, and whether any terms and conditions with respect to this transaction should be prescribed in the public interest or for the production of investors or consumers.

*It is further ordered*, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

*It is further ordered*, That notice of said hearing be, and hereby is, given to Ohio, and to all interested persons, said notice to be given to The Ohio Public Service Company and to the Public Utilities Commission of Ohio by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 47-11091; Filed, Dec. 17, 1947;  
8:47 a. m.]

[File No. 70-1701]

WEST PENN ELECTRIC CO. ET AL.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 11th day of December A. D. 1947.

In the matter of the West Penn Electric Company, the Potomac Edison Company, Northern Virginia Power Company, File No. 70-1701.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 and certain rules and regulations promulgated thereunder, by The West Penn Electric Company ("West Penn Electric"), a registered holding company and a direct subsidiary of American Water Works and Electric Company, Inc. ("American"), also a registered holding company, The Potomac Edison Company ("Potomac"), a direct subsidiary company of West Penn Electric and a registered holding company, and Northern Virginia Power Company ("Northern Virginia"), a direct subsidiary company of Potomac.

Notice is further given that any interested person may, not later than December 24, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said filing which he desires to controvert, or request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pa. At any time after December 24, 1947 said joint application-declaration, as filed or as amend-

ed, may be granted and permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100.

All interested persons are referred to said joint application-declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized below:

Potomac, an operating utility company, proposes to issue and sell for cash, pursuant to the competitive bidding requirements of Rule U-50, \$4,000,000 principal amount of First Mortgage and Collateral Trust Bonds, the interest rate and price of said bonds to be determined at competitive bidding. Potomac also proposes to issue and sell 50,000 shares of common stock, without nominal or par value, to West Penn Electric and West Penn Electric proposes to acquire these shares for a total cash consideration of \$1,000,000. West Penn Electric now owns all of the outstanding shares of common stock of Potomac, consisting of 120,000 shares without nominal or par value, the amount of common stock authorized by Potomac's charter now being 150,000 shares. Prior to the issuance by it of the additional shares, Potomac proposes to amend its charter to increase the authorized amount of common stock to 750,000 shares, to change the number of shares of common stock outstanding from 120,000 shares to 325,000 shares, and to transfer to its capital stock account \$1,833,798 of earned surplus and \$1,040,072 of capital surplus, resulting in an aggregate stated amount of \$7,500,000 of common stock capital. The net proceeds from the sale of the bonds and common stock by Potomac are to be used for the construction of extensions, additions, and improvements to the properties of Potomac and certain of its electric subsidiaries and for the discharge by Potomac of an outstanding bank loan in the amount of \$1,000,000.

Northern Virginia, also an operating utility company, proposes to issue and sell 27,000 shares of its common stock, par value \$100 per share, to Potomac and Potomac proposes to acquire these shares for a total cash consideration of \$2,700,000. Potomac now owns all of the outstanding capital stock of Northern Virginia, consisting of 55,000 shares of common stock, par value \$100 per share, and 1,500 shares of preferred stock, par value \$100 per share. These shares of stock are presently pledged under the indenture securing Potomac's bonds. Northern Virginia proposes, prior to the issuance of the additional shares of its common stock, to amend its charter to increase the authorized amount of common stock to 150,000 shares. The additional shares of common stock of Northern Virginia to be acquired by Potomac will be issued from time to time as necessary, but prior to December 30, 1948, and promptly upon issuance will be pledged under the indenture securing Potomac's bonds. Northern Virginia proposes to use the net proceeds from the sale of its common stock for the construction of extensions, additions, and improvements to its properties.



The filing requests that the Commission's order granting and permitting effectiveness to the joint application-declaration be issued on or before January 9, 1948, and become effective on the date of issuance.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-11098; Filed, Dec. 17, 1947;  
8:49 a. m.]

[File No. 70-1708]

CENTRAL STATES ELECTRIC CORP.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 12th day of December 1947.

In the matter of Carl J. Austrian and Robert G. Butcher, Trustees of Central States Electric Corporation, Debtor, File No. 70-1708.

Notice is hereby given that Carl J. Austrian and Robert G. Butcher, Trustees of Central States Electric Corporation, Debtor ("Trustees"), in reorganization under Chapter X of the Bankruptcy Act in the United States District Court for the Eastern District of Virginia, and affiliates of The North American Company and The United Light and Railways Company, both registered holding companies, have filed an application pursuant to the Public Utility Holding Company Act of 1935 ("act"). The applicant has designated sections 9 (a) (2) and 10 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 22, 1947, at 2:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

The Trustees, together with their subsidiaries, Blue Ridge Corporation and American Cities Power and Light Corporation, all of which are registered investment companies under the Investment Company Act of 1940, own approximately 6.95% of the common stock of The North American Company ("North American"). By order of the Commission dated November 14, 1947, North American was permitted, among other

things, to distribute on December 22, 1947, in partial liquidation, to its holders of common stock of record as of November 26, 1947, shares of the common stock of Wisconsin Electric Power Company ("Wisconsin Electric") having a par value of \$10 per share, owned by North American; at the rate of 19 1/4 shares of Wisconsin Electric common stock for each 100 shares of North American common stock held. As a result of said distribution on December 22, 1947, the Trustees, together with their subsidiaries, Blue Ridge Corporation and American Cities Power and Light Corporation, will be entitled to receive an amount of common stock of Wisconsin Electric which, together with their present holdings of Wisconsin Electric securities, will amount to approximately 5.2% of the outstanding voting securities of Wisconsin Electric, thereby causing the Trustees to become an affiliate of Wisconsin Electric.

The Trustees now propose to acquire and own, directly or indirectly, the shares of Wisconsin Electric common stock which they and their subsidiaries are entitled to receive pursuant to said distribution on December 22, 1947, by North American and they represent that subsequent to such distribution, they intend to dispose of a sufficient number of shares of Wisconsin Electric, either directly or indirectly, to reduce their direct or indirect ownership of such shares to an amount representing less than 5% of the voting power of Wisconsin Electric. The foregoing disposition will be made, subject to any necessary approval of the United States District Court for the Eastern District of Virginia, as soon as practicable and within 6 months from the date of an order of the Commission herein approving the proposed acquisition, or within such extended period of time as the Commission may permit upon application therefor by the Trustees.

The Trustees request that the Commission's order herein be issued as promptly as may be practicable and become effective upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-11096; Filed, Dec. 17, 1947;  
8:48 a. m.]

#### DEPARTMENT OF JUSTICE Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10136]

KASHIRO MAEDA

In re: Stock owned by Kashiro Maeda.  
F-39-77 D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kashiro Maeda, whose last known address is c/o Dodwell and Co. Ltd., Sannomiya, Japan, is a resident of Japan, and a national of a designated enemy country (Japan);

2. That the property described as follows: a. Three hundred and fifteen (315) shares of no par value common capital stock of S. H. Kress and Company, 114 Fifth Avenue, New York 11, New York, a corporation organized under the laws of the State of New York, evidenced by certificates registered in the name of Kashiro Maeda, said certificates numbered and in the amounts appearing opposite each certificate number as follows:

Certificate No.:	Number of shares	Certificate No.:	Number of shares
13505-----	40	8067-----	100
14032-----	30	16562-----	50
1609-----	50	3439-----	45

together with all declared and unpaid dividends thereon, and

b. Twenty-six (26) shares of \$10.00 par value preferred capital stock of S. H. Kress and Company, 114 Fifth Avenue, New York 11, New York, a corporation organized under the laws of the State of New York, evidenced by certificates registered in the name of Kashiro Maeda, said certificates numbered and in the amounts appearing opposite each certificate number as follows:

Certificate No.:	Number of shares	Certificate No.:	Number of shares
1489-----	1	10054-----	1
2831-----	1	10527-----	2
4800-----	1	11196-----	1
5371-----	1	12247-----	2
6305-----	1	13606-----	3
7267-----	1	15047-----	3
8121-----	1	16548-----	3
8575-----	1	17732-----	2
9178-----	1		

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.



Executed at Washington, D. C., on November 13, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11104; Filed, Dec. 17, 1947;  
8:49 a. m.]

[Vesting Order 10154]

WILLIAM GEGENHEIMER

In re: Estate of William Gegenheimer, deceased. File D-28-11883; E. T. sec. 16080.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9783, and pursuant to law, after investigation, it is hereby found:

1. That Karl Gegenheimer (nephew of decedent), Lena Gegenheimer, William Gegenheimer, Kurt Gegenheimer, Karl Gegenheimer (grand-nephew of decedent), Sophie Gegenheimer, Hilda Gegenheimer, Hedwig Gegenheimer, Sophie Gegenheimer (niece of decedent), Louise Gegenheimer, Adolf Gegenheimer, and Emma Sachs, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of William Gegenheimer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by John J. Foley, as Executor, acting under the judicial supervision of the Surrogate's Court of Kings County, State of New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11105; Filed, Dec. 17, 1947;  
8:49 a. m.]

[Vesting Order 10156]

FRANK HAIBLE

In re: Estate of Frank Haible, deceased. File D-28-9461; E. T. sec. 12722.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Reverend Rector Pfarrer of the St. Martinus Church, Altsteusslingen o/a Ehingen, o/a Württemberg, and the Mayor of Briel, o/a Ehingen, o/a Württemberg, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of \$1,600.00 was paid to the Alien Property Custodian by Elizabeth Beierholm, Executrix of the Estate of Frank Haible, deceased;

3. That the said sum of \$1,600.00 was accepted by the Alien Property Custodian on June 14, 1945, pursuant to the Trading with the Enemy Act, as amended;

4. That the said sum of \$1,600.00 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11106; Filed, Dec. 17, 1947;  
8:49 a. m.]

[Vesting Order 10157]

OTTO HAMPEL

In re: Trust under will of Otto Hampel, deceased. File No. D-28-9693; E. T. sec. 13565.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Auguste Hampel, Oskar Hampel and Martha Sperling, nee Hampel, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Frieda Paulick, deceased, and personal representatives, heirs, next of kin, legatees and distributees of Hedwig Hampel, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them in and to the trust created under the will of Otto Hampel, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Eric A. Hillebrand, Trustee, acting under the judicial supervision of the Probate Court of Wayne County, Detroit, Michigan;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees of Frieda Paulick, deceased, and personal representatives, heirs, next of kin, legatees and distributees of Hedwig Hampel, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11107; Filed, Dec. 17, 1947;  
8:50 a. m.]

[Vesting Order 10158]

LEWIS HAPP

In re: Estate of Lewis Happ, deceased. File D-28-12058; E. T. sec. 16240.



Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Margarethe Haap Schanz, Barbara Haap Wagner, Agnes Haap Schanz, Michael Haap, Agnes Maier Hornberger, Karl Maier, Adolf Maier, Wilhelm Maier, Maria Maier Vogt, and Ernst Maier, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Lewis Happ, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Wilhelmina Rourke, John Neth and Joseph M. Happ, as Administrators, acting under the judicial supervision of the Surrogate's Court, County of Albany, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made, and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11108; Filed, Dec. 17, 1947; 8:50 a. m.]

[Vesting Order 10222]

ALFRED FRIEDRICH

In re: Estate of Alfred Friedrich, a minor. File No. D-28-12041; E. T. sec. 16251.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alfred Friedrich, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever

of the person named in subparagraph 1 hereof in and to the Estate of Alfred Friedrich, a minor, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Girard Trust Company, as substituted guardian, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11109; Filed, Dec. 17, 1947; 8:51 a. m.]

[Vesting Order 10223]

OTTO FREIDRICH

In re: Estate of Otto Freidrich, a minor. File No. D-28-12042; E. T. sec. 16260.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Freidrich, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Estate of Otto Freidrich, a minor, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Girard Trust Co., as substituted guardian, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the

national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11110; Filed, Dec. 17, 1947; 8:51 a. m.]

[Vesting Order 10259]

NEW YORK HAMBURGER GUMMI-WAAREN  
COMPAGNIE AND OSCAR TRAUN

In re: Debts owing to New York Hamburger Gummi-Waaren Compagnie and Oscar Traun.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That New York Hamburger Gummi-Waaren Compagnie, the last known address of which is Hamburg, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Oscar Traun, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation owing to New York Hamburger Gummi-Waaren Compagnie by the S. & G. Rubber Company, Inc., Box 189, General Post Office, New York, New York, in the amount of \$3,445.00, as of June 14, 1941, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by New York Hamburger Gummi-Waaren Compagnie, the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows: All rights, claims and causes of ac-



tion of New York Hamburger Gummi-Waaren Compagnie and Oscar Traun, or either of them, arising out of that certain debt or other obligation of Henry A. Sturken, now deceased, late of Mendham, New Jersey, to New York Hamburger Gummi-Waaren Compagnie and Oscar Traun, or either of them, including particularly but not limited to those against Eleanor Townsend Sturken, Hilltop Road, Mendham, New Jersey, as sole legatee and distributee under the will of said Henry A. Sturken, and any and all rights to demand, enforce, prosecute and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by New York Hamburger Gummi-Waaren Compagnie and Oscar Traun, or either of them, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11111; Filed, Dec. 17, 1947;  
8:51 a. m.]

[Vesting Order 10261]

#### DEUTSCHE REICHSBANK

In re: Funds owned by Deutsche Reichsbank.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deutsche Reichsbank, the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. The sum of \$315,578.81, as of December 31, 1945, together with any and all accruals thereto, held by Manufacturers Trust Company, 55 Broad Street, New York, New York, in an account entitled Special Account Manufacturers Trust Company as Trustee for American Creditor Banks under German-American Standstill Agreement No. I, and

b. The sum of \$13,074.39, as of December 31, 1945, together with any and all accruals thereto, held by Manufacturers Trust Company, 55 Broad Street, New York, New York, in an account entitled Special Account Manufacturers Trust Company as Trustee for American Creditor Banks under German-American Standstill Agreement No. II.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Deutsche Reichsbank, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11112; Filed, Dec. 17, 1947;  
8:51 a. m.]

[Return Order 65]

#### CAROLYN KENT DI ROBILANT

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the Determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
Carolyn Kent di Robilant, Venice, Italy: Claim No. 1761. Claim No. 1762.	Nov. 6, 1947 (12 F. R. 7279).	<p>\$509.31 in the Treasury of the United States. \$22,213.59 in the Treasury of the United States. An undivided <math>\frac{1}{4}</math> interest in an undivided <math>\frac{1}{4}</math> interest in 2 lots in Black Mountain, N. C., described as the fourth and fifth tracts in the deed recorded in the office of the Register of Deeds, Buncombe County in book 567 at page 155. An undivided <math>\frac{1}{4}</math> interest in 10 lots, Nos. 45 to 54, sheet 17, ward 5, San Hill Rd., Asheville, N. C., described as the first tract in the deed recorded in the office of the Register of Deeds, Buncombe County in book 567 at page 155. The following securities registered in the name of the Attorney General, presently in custody of the Safekeeping Department of the Federal Reserve Bank of New York:</p> <ol style="list-style-type: none"> <li>23 shares common stock American Telephone &amp; Telegraph Co., \$100 par value.</li> <li>20 shares common stock Consolidated Edison Co. of New York, Inc., without par value.</li> <li>20 shares common stock General Motors Corp., \$10 par value.</li> <li>13 shares common stock Continental Can Co. Inc., \$20 par value.</li> <li>15 shares common stock United States Gypsum Co., \$20 par value.</li> <li>40 shares common stock General Electric Co., without par value.</li> <li>12 shares common stock J. C. Penney Co., without par value.</li> <li>8 shares common stock "B" The American Tobacco Co., \$25 par value.</li> <li>125 shares new class "B" common stock R. J. Reynolds Tobacco Co., \$10 par value.</li> <li>60 shares common stock Wachovia Bank &amp; Trust Co., \$25 par value.</li> <li>6 shares cumulative preferred stock Public Service Corp. of New Jersey, without par value.</li> <li>35 shares \$5 preferred stock General Motors Corp., without par value.</li> <li>20 shares class "A" stock, The Coca Cola Co., without par value.</li> <li>\$6,400 maturity value United States Savings Bonds, series G, 2 1/2 percent.</li> <li>\$1,000 par value United States Treasury 2 percent bond, due 1950-52.</li> <li>\$1,500 par value United States Treasury 2 percent bonds, due 1952-54.</li> <li>\$2,000 par value County of Forsyth, N. C., school refunding 3 percent bonds, due 1953-55.</li> <li>\$1,000 par value County of Caldwell, N. C., school building 4 percent bond, due 1952.</li> <li>\$1,000 par value County of Catawba, N. C., school building 3 percent bond, due 1954.</li> <li>\$1,000 par value American Telephone &amp; Telegraph Co. 3 percent convertible debenture bond due 1953.</li> </ol>



Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 12, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11115; Filed, Dec. 17, 1947;  
8:52 a. m.]

[Return Order 66]

ELIZABETH LEWIN

Having considered the claim set forth below and having issued a Determination allowing the claim which is incorporated by reference herein and filed herewith,

*It is ordered*, That the claimed property, described below and in the Determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

*Claimant and Claim Number, Notice of Intention to Return Published, and Property*

Elizabeth Lewin, 6 Rue Paul Bodin, Paris 17, France; November 4, 1947 (12 F. R. 7152); Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to United States Letters Patent No. 1,999,103.

This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 12, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11116; Filed, Dec. 17, 1947;  
8:52 a. m.]

[Return Order 67]

SOCIETE NORMANDE DE PRODUITS  
CHIMIQUES

Having considered the claim set forth below and having issued a Determination allowing the claim which is incorporated by reference herein and filed herewith,

*It is ordered*, That the claimed property, described below and in the Determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

*Claimant and Claim Number, Notice of Intention to Return Published, Property*

Societe Normande de Produits Chimiques, Paris, France; 12 F. R. 7351, November 8, 1947; Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent No. 2,289,286; and the property described in Vesting Order No. 1028 (8 F. R. 4205, April 2, 1943), relating to United States Patent Application No. 359,739, (which, prior to the vesting thereof, had matured into United States Letters Pat-

ent No. 2,289,286). This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 12, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-11117; Filed, Dec. 17, 1947;  
8:52 a. m.]

[Vesting Order 10267]

AKIRA MORIMOTO

In re: Real property, property insurance policy and claim owned by Akira Morimoto.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Akira Morimoto, whose last known address is Hiroshima City, Hiroshima, Japan, is a resident of Japan, and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Real property situated in the County of Fresno, and State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Akira Morimoto, in and to Fire Insurance Policy No. 177926, issued by American Home Fire Assurance Company, 111 William Street, New York, New York, in the amount of \$1,500.00, which policy insures the real property described in subparagraph 2-a hereof, together with any and all extensions or renewals thereof, and

c. That certain debt or other obligation owing to Akira Morimoto by Hisajiro Kimura, 825 F Street, Fresno, California, arising out of rentals due and unpaid from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate

consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

EXHIBIT A

Real property situated in the City of Fresno, County of Fresno, State of California, described as follows:

Lots 10 and 11, in Block 37, of the Town of Fresno, as per Map recorded June 8, 1876, in Plat Book 1, page 2, Fresno County Records.

[F. R. Doc. 47-11113; Filed, Dec. 17, 1947;  
8:51 a. m.]

[Vesting Order 10268]

OTTO WEGNER ET AL.

In re: Interests in real property owned by Otto Wegner, Hanna Kirsten, and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Max Wegner, deceased, and of Hedwig Stoek, deceased.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Wegner and Hanna Kirsten, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Max Wegner, deceased, and of Hedwig Stoek, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows: An undivided one-half interest in real property, situated in Jefferson County, State of Nebraska, particularly described as the Northwest Quarter of the Northwest Quarter of Section Two, Township Two, North, Range Four East of the 6th P. M. in Jefferson County, Nebraska, together with all hereditaments,



fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, excepting, however, the life estate in the aforesaid, owned by Emma Wegner,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof

are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property, described in subparagraph 3 hereof, excepting the life estate owned by Emma Wegner, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not na-

tionals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1947.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,  
*Assistant Attorney General,  
Director, Office of Alien Property.*

[F. R. Doc. 47-11114; Filed, Dec. 17, 1947;  
8:52 a. m.]



